

REMARKS

In the outstanding official action, claims 1-6 were withdrawn from further consideration, and claims 7-11 were rejected under 35 USC 102(b) as being anticipated by Nakamura et al, for the reasons of record. In response, it is respectfully submitted that the currently-pending claims are clearly patentably distinguishable over the cited reference as that reference is applied in the Action. In view of the following comments regarding the cited portions of the reference contained in the Action, if the following comments do not place the instant application in condition for allowance it is respectfully requested that a second non-final Action be issued to avoid prejudice or unnecessary expense.

More particularly, it was suggested in the Action that, regarding claim 7, Nakamura discloses an electrical element with *inter alia* first and second electrodes (20,21) and an inductive element (120) defined in an electroconductive patterned layer, as shown in Fig. 7.

More precisely, however, a careful reading of the description of Fig. 7 of Nakamura (col. 13, line 28 - col. 14, line 5) clearly describes reference numeral 120 of the reference as pertaining to "an encapsulating resin" (col. 13, line 62) and not an inductive element. Since the reference numeral 120 is mentioned at least four times in the Action to refer to an inductive element or an

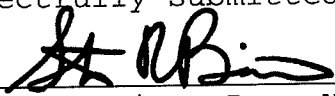
electroconductive patterned layer in which such an inductive element is formed, it is assumed by Applicant that this is not a typographical error.

Furthermore, in an attempt to advance prosecution, Applicant has carefully reviewed the description of Fig. 7 in the specification of the cited reference, and there appears to be no mention whatsoever of an inductive element as recited in independent claim 7 of the instant application. Furthermore, it is noted that the electrodes 20,21 which are suggested in the Action to be connected by metallization to an inductor, are in fact clearly disclosed as being contact electrodes for a capacitor (col. 13, lines 63-64).

Accordingly, it is respectfully submitted that the currently-pending claims are clearly patentably distinguishable over the cited reference as applied in the Action, and that the instant application is therefore now in condition for allowance. Furthermore, should the foregoing remarks not place the instant application in condition for allowance, it is respectfully requested that the next action be made non-final, so that Applicant is not prejudiced or put to additional expense.

Respectfully submitted,

By


Steven R. Biren Reg. No. 26,531
(914) 333-9630